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SUBJECT: EU/USA/UNDP MEET WITH MINISTER IN CHARGE OF ELECTIONS:
STATE OF PREPARATIONS

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¶1. (SBU) SUMMARY: On March 17, at the initiative of the European Union, the EU (commission and presidency (Belgium) plus the resident chiefs of mission of France and Italy), the UNDP resrep/resident coordinator, and the U.S. Ambassador met with Minister of Territorial Administration Raymond Mboulou and a large team including the National Elections Commission (CONEL) head and the Director General of Electoral Affairs (DGAE) from the Ministry. The meeting was an opportunity to pose questions in a semi-public format to those who are charged with organizing the July 5 Presidential elections. Though they project confidence about the technical details of the process, there are significant political, technical, and timing hurdles ahead if Congo is to have a relatively successful election this year. This cable is both a report of the meeting and a discussion of the technical state of preparations. END SUMMARY

¶2. (SBU) BACKGROUND: The role of external donors in Congo's presidential election this year is yet to be determined, but is likely to be very small. In mid-December, the U.N. organized a headquarters mission to assess and propose a possible U.N. program of assistance, resulting in a proposal estimated to cost \$2.5 million to provide four technical advisors and material support for the election period, largely devoted to advising the DGAE and CONEL and training and supplying Congolese NGOs interested in participating in civic education and verification. However, according to UNDP, the proposal is not yet funded. We understand that a proposal by the European Commission office here for EU funding for a similar effort was not immediately approved and was somewhat controversial in Brussels; current indications from the EU commission office here are that Brussels is considering a contribution of 500,000 Euro to the UNDP-managed "basket." We are not aware of any other bilateral funding under consideration at this time, and with the election (July 5) just 100 days away, it is doubtful that funds could be programmed responsibly.

¶3. (SBU) Under the terms of the Cotonou Agreement, the EU conducts a periodic political dialogue with the Congo government, and in that context, during a session on March 6, the commission, the presidency, and the other member states represented here (only/only Belgium, France, and Italy) obtained Congolese agreement to a follow-up session on the subject of the preparations for the July Presidential election. They invited UNDP, as the prospective manager of the only external support forthcoming for the election, and the United States, to participate. The meeting, held on March 17, brought together the aforementioned foreign representatives with a large number

of Congolese officials, including Minister Mboulou, the President of the National Elections Commission, and the Director General for Electoral Affairs of the Ministry of Territorial Administration.

14. (SBU) STATE OF PLAY ON ORGANIZING THE ELECTIONS: The heavyweight on the Congo government side is the Ministry of Territorial Administration, whose mandate, funding, and personnel far outweigh the very much less effective National Elections Commission (CONEL). In fact, it is our assessment that CONEL is very much a marginal player. Its mandate seems to be limited to a supervisory role on the actual day of polling, with all other matters, including voter identification and registration, manning the polling stations, and vote counting largely in the hands of the Ministry. It would not be an exaggeration to say that CONEL seems very much to be an appendage added to the process as a result of the National Conference, with very little authority or funding actually exercised. The government attempts to present an image of CONEL as an inclusive and independent electoral commission, as required under various international agreements, but it is not. It is chaired by a government nominee (a judge), with a first vice president from the "presidential majority" (apparently specified this way by the national conference), a second vice president from "the opposition" (which the government believes is the opposition represented in the national legislative bodies), and a third vice president from "civil society." However, in each case of the three vice presidents, the actual appointment to CONEL is made by President Sassou-Nguesso, choosing from a list of three offered to him by the constituency represented. Furthermore, in the case of at least two of the most viable opposition candidates for this year's election, their parties are not represented at all in the national legislative bodies.

15. (SBU) POLITICAL STATE OF PLAY: There are now roughly eight
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candidates announced for the July election (and this does not include President Denis Sassou-Nguesso, who has not announced despite daily press-conferenced appeals to him to do so by various unknown parties and miniscule organizations). We will be providing a more detailed look at the candidates in the coming weeks, but in this message, suffice to say that none of them enjoys national backing nor, indeed, adequate financial support to conduct a national campaign. There is one grouping of parties, the "Opposition Headquarters," that has spoken out on organizational issues. In a meeting in February, eighteen parties came together to offer comments and resolutions regarding the process. Notably, they urged the government to call together the "presidential majority" and the opposition to agree to a structure for organizing the elections, and offered thirteen suggestions for what ought to be included in such a structure, including (a) repealing the existing election law; (b) adopting a new law setting up an independent electoral commission; (c) dissolving CONEL; (d) annulling the results of the December-January revision of voters lists; (e) conducting a special administrative census (instead of using the revised voter lists); (f) assuring equal access to public media for all candidates; (g) respecting free movement of politicians; (h) assuring freedom of the press; (i) financing for political parties; (j) permitting the return of political self-exiles; (k) publication of the 2007 general census; and (l) opening of an official internet site on the elections. They also accused the government of padding the voter lists with 500,000 extra voters during the ongoing revision exercise. The "Opposition Headquarters" did not offer any program for the future or new ideas, aside from the procedural steps listed above.

16. (SBU) With the opposition taking at least preliminary steps toward adopting a common procedural program, the question of the "concertation" between the government side and the opposition has been much-commented-upon in the press, both before and since the meeting of the "Opposition Headquarters." Most recently, the "Prime Minister," Isidore Mvoua, made a statement falling short of a firm commitment from the government side, indicating

that such a process would take place. However, no time or venue has been proposed, and more importantly Sassou-Nguesso has not been heard to endorse the launching of such a politically-fraught exercise. Every day that passes renders it less likely that any of the suggestions made by the opposition, some which have merit if there to be a reasonably well-conducted election here, could be put into effect.

¶17. (SBU) MEETING THE MINISTER: The meeting March 17 was largely devoted to a series of technical questions posed by the foreign participants and responses from the Congolese. In their extremely detailed responses, the Congolese said that the next stage in the process, which will occur within a few days, will be the posting of the revised electoral lists at each polling station. There will be a two-week period during which members of the public or representatives of the putative candidates can bring errors and omissions (dead/underage/fictitious voters, absence from the lists, for example) to the attention of the responsible officials. They noted that election management had been (underline) completely/completely decentralized since the 2008 legislative elections. Thus correcting the lists was a question for the departmental-level officials who are in charge under decentralization. (COMMENT: Apparently there are 6,000 polling stations, so any national effort to verify the lists (by one or more opposition parties) during a two-week period would be a massive and expensive undertaking. End comment.)

¶18. (SBU) The Minister also detailed the local organization of the polling stations as a mirror of the organization of CONEL, with a presiding officer "representing the State" and assisted by representatives of the presidential formation, the opposition, and civil society, in addition to several other officials with designated functions who will be on hand as well. He said that after a given polling station closes at 6 p.m., vote counting will begin immediately and will be open to representatives of candidates at the polling station level. Results will be posted at the polling station when completed and forwarded to the department-level elections committee to be consolidated into a report to CONEL. He noted that UNDP has already provided computer hardware, software, and training to each of the department level election committees.

¶19. (SBU) Addressing another political question, the resignation of the "second vice president" (i.e. from the opposition) from CONEL, the Minister washed his hands of it by saying that he had

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discussed the need for a slate of three names with the leader of the opposition formation in the National Assembly and could do no more until the three names were put forward. He noted that the largest opposition party, the UPADS, has three factions, each of which will probably present a candidate, and two of the factions are represented in the Assembly.

¶10. (SBU) The UNDP resrep made a strong statement in support of the "concertation" between ruling group and opposition and noted that UNDP had been designated by donor countries to assure coordination of external support. The Minister responded that the door was open, but on the government side he emphasized firmly that it was Prime Minister Mvouba who was in charge. He also noted that the central financial authorities had made available one-quarter of the envisaged political party funding for the Presidential election, which would be allocated in accordance with the criteria established in the electoral law, perhaps in about a month. The minister emphasized as well that the election would be held on July 5. This was necessary, he said, because the President's term expires on August 14 (also Congo's national day), and there is a mandatory time delay established by law between the publication of the results and the inauguration of the elected President.

¶11. (SBU) Wrapping up, the EU representative made a pitch for the concertation to include the adoption of a code of good conduct by the competing parties in the runup to the election. The Minister acknowledged that he had received a draft of such an agreement provided by the EU's experts and that this

document, along with an actual example from Benin, was under review. He made no commitment regarding the code of conduct. He then tweaked the Americans for not having made any commitments to support the elections (though, in the absence of any funding, we have done some low- or no-cost work with NGOs) and asked whether, in light of the American experience in absentee/advance voting, we thought it would be a good idea to have the security forces (army, police, gendarmes) vote in advance of the general population so that they would be able to give their full attention to security on July 5. The Ambassador said that in the U.S., the military's votes were considered in terms of their duties as citizens. He cautioned the Minister to look at the political impact of having those under military discipline be ordered to vote on a particular day, and on a day when civilian citizens did not have the opportunity themselves to vote, lest it be regarded as an effort to maximize turnout by a group of Congolese who might have a particular vote in mind. (Comment: This was a lead balloon for the Minister - he does not like to have his ideas called into question, and was clearly looking for a ringing endorsement. End comment.) The minister concluded with a surprise announcement that the government had decided to drop the fees for the issuance of national identity cards and that he would be going to the press later in the day to ask all citizens to obtain their free cards to facilitate their participation in the Presidential election.

¶12. (SBU) COMMENT: Taken at face value, the comments of these Congolese officials portray a sincere desire to have a decent election. But stripping away all the official reasons why something is being done a particular way or why it can't be done another way, it is clear that so far, the organizers of the election are proceeding in their own way without any accommodation of the views of the outside-government political class. None of the concerns of the opposition have been addressed, and there is so far no dialogue under way between the presidential "majority" and the opposition. It is thus overwhelmingly clear that the government, beholden to those in power, holds all the cards in this election and does not intend to shuffle them.

¶13. (SBU) COMMENT CONTINUED: The impending presidential election has also introduced an element of unease and apprehension about security into the body politic here, given that Congolese history shows a correlation between elections and violence, particularly in 1997. We are hearing of many Brazzaville residents, both Congolese and foreign, who are scheduling their annual leave for late June-July, not because they necessarily expect unrest but because of this history, and many dependents of European diplomatic missions have been quietly encouraged to take a break during the campaign period and the weeks after the election. END COMMENT.
EASTHAM